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August 25, 2011

Senator Harry Brown
Senator Thom Goolsby
Co-Chairs, Senate Appropriations Subcommittee on Justice & Public Safety

Representative N. Leo Daughtry
Representative W. David Guice
Representative Shirley Randleman
Co-Chairs, House Appropriations Subcommittee on Justice & Public Safety

Dear Subcommittee Chairs,

Section 15.6(a) of Session Law 2011-145 (HB200) authorizes the Office of Indigent Defense Services to create up to 50 new attorney and 25 new non-attorney positions for expansion in existing Public Defender offices, for new offices in existing Public Defender programs, or for regional Public Defender programs. The Office of Indigent Defense Services is authorized to use up to \$2,150,000 in appropriated funds for this purpose during FY2012. Funds are transferred from the Private Assigned Counsel Fund to the appropriate public defender budget based on position costs. The provision requires OIDS to report on these positions prior to using any funds.

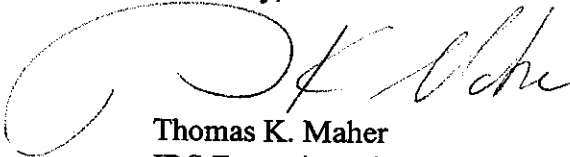
I am writing now to report on our intent to create two new positions. The first is in response to our mandate under Section 15.6(c) of SL 2011-145 to issue requests for proposals for provision of legal services for indigent clients in all judicial districts. We are using an existing Contracts Administrator position in Durham to oversee the initial RFP process and administer both existing and new contracts. In addition, we will be creating a Regional Defender position to provide direct oversight of contractors, starting in the 3rd Judicial Division and then expanding geographically, most likely into the 1st Judicial Division. The Regional Defender will report to the IDS Director and work closely with the Contracts Administrator but also be the first line of contact for contractors in the field. The position will be effective January 1, 2012 and based somewhere to be determined within that region.

The second position is a Public Defender Administrator position to work with all existing Public Defender programs on a range of issues including evaluation of office performance, coordinating the Indigent Defense Services Commissions process on appointment of Chief Public Defenders, developing training programs in conjunction with the School of Government, and working with other IDS staff on maintaining

appropriate resources for those offices. This position is necessitated, in part, by the legislative decision to transfer the appointment authority for the Chief Public Defender from the Senior Resident Superior Court Judge to the IDS Commission. The Commission will therefore need to devote more resources to the oversight of Public Defender programs. The Public Defender Administrator position will be effective September 1, 2011 and based in Durham.

I've attached a chart summarizing all positions created so far this fiscal year, including these two. Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Thomas K. Maher', with a large, stylized flourish on the left side.

Thomas K. Maher
IDS Executive Director

cc Cheryl Reed (OSBM) and Doug Holbrook(FRD)

POSITIONS CREATED UNDER SL 2011-145 SEC 15.6(A)

Office	Center	Type	Eff Date	BR	Date of	Posn #	FY12	FY 13
Appellate Defender	13201350	Assistant Appellate Defender	9/1/2011	11-0007	8/1/2011	65014853	\$244,017	\$289,565
Appellate Defender	13201350	Assistant Appellate Defender	9/1/2011	11-0007	8/1/2011	65014854		
Parent Representation	13201351	Assistant Appellate Defender	9/1/2011	11-0007	8/1/2011	65014855		
1st District PD	132013203201	Assistant Public Defender	10/1/2011	11-0009	8/15/2011	65014862	\$73,298	\$98,730
Durham	13801380	Public Defender Administrator	9/1/2011					
TBD	13801380	Regional Defender	1/1/2012					
CUMMULATIVE USED							\$317,315	\$388,295